

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

SCOTT DEAN KEITH,  Plaintiff,  vs.  SHERIFF MILSTEAD, Sheriff at Minnehaha Jail in his individual and official capacities; DEPUTY 1, Deputy Min Count at Minnehaha Jail in individual and official capacities; and DEPUTY 2, Minn County Sheriff at Minnehaha County in individual and official capacities,  Defendants.	4:24-CV-04104-KES  ORDER DENYING PLAINTIFF'S MOTION TO APPOINT COUNSEL
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Plaintiff, Scott Dean Keith, an inmate at the Minnehaha County Jail, filed a pro se lawsuit. Docket 1. Keith moved for leave to proceed in forma pauperis, which this court denied because he was barred under 28 U.S.C. § 1915(g). Docket 5. Because Keith did not pay his full civil complaint filing fee by the time ordered, this court dismissed Keith's complaint without prejudice for failure to prosecute. Dockets 7, 8. Keith filed a notice of appeal. Docket 9.

Keith moves for the appointment of counsel. Docket 12. "In civil cases, there is no constitutional or statutory right to appointed counsel." *Ward v. Smith*, 721 F.3d 940, 942 (8th Cir. 2013) (per curiam) (citing *Edgington v. Mo. Dep't of Corr.*, 52 F.3d 777, 780 (8th Cir. 1995)). This case is closed, and the

order dismissing Keith's complaint was summarily affirmed on appeal. Dockets 18, 19.

It is ORDERED that Keith's motion to appoint counsel, Docket 12, is denied.

Dated January 13, 2025.

BY THE COURT:

/s/ Karen E. Schreier

KAREN E. SCHREIER  
UNITED STATES DISTRICT JUDGE